

May 29, 1981

LB 376, 506A

In favor vote aye. If you want to overrule the Chair vote aye. If you want to uphold the Chair vote nay. Record the vote.

CLERK: 6 ayes, 28 nays to overrule the Chair, Mr. President.

PRESIDENT: The Chair is sustained. Now any further motions?

CLERK: Mr. President, the next motion I have is offered by Senator Vard Johnson. Senator Johnson would move to override the Governor's line item veto of LB 506A.

PRESIDENT: 506A, Senator Johnson?

SENATOR V. JOHNSON: Yes. Mr. Speaker and members of the body, earlier this week we passed LB 506 and LB 506A, the accompanying appropriation bill. As you may recall, this increases the tax on a package of cigarettes by one cent. Under 506 the purpose of the tax increase is to be used for cancer research. The fiscal note indicated that the tax itself would generate revenues of about \$1.7 million. The Governor has decided to line item veto the appropriations bill so that only \$400,000 will go into contract cancer research, with \$800,000 of the penny a pack tax increase just going into the General Fund. Now, when I voted for 506 and 506A, I voted very simply to put a penny a pack tax on cigarettes and to specifically earmark it for cancer research. I did not vote for 506 and 506A to increase the tax a penny a pack so that half of the tax could then be used to go to the General Fund with the remaining half of the tax going into Eppley Institute and to a limited amount of cancer research. If the Governor's line item veto of the \$800,000...that's what it amounts to, is overridden, it doesn't mean any increase in taxes. Why? Because we already increased the tax. We increased the tax on a pack of cigarettes by a penny a pack. Very simply, it just means that our allocation of that tax increase to cancer research will continue to be upheld. I think it is important that we fully fund the cancer research operations that we have established by LB 506 and not fund in part with that penny tax increase cancer research and also the General Fund. It is for that reason I would ask that this body do override the veto of the Governor.

PRESIDENT: Senator Warner. The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, I would rise to oppose